



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

June 19, 2008

MEMORANDUM

SUBJECT: Effects Determinations for Linuron Relative to the California Red-Legged Frog and Designated Critical Habitat

FROM: Donna Randall, Senior Effects Scientist
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Environmental Fate and Effects Division

TO: Arthur-Jean B. Williams, Associate Director
Environmental Fate and Effects Division

Donna Randall
6/19/2008

Attached is the assessment of potential direct and indirect effects to the California red-legged frog (CRLF) and potential modification to designated critical habitat from uses of the herbicide linuron. While the Endangered Species Act requires we assess uses of pesticides relative to any potentially affected listed species, this assessment focuses only on the CRLF, including designated critical habitat, addressing provisions of a settlement agreement entered into by the federal government to resolve claims made by plaintiffs against EPA in a court case (CBD v. EPA¹).

The attached assessment was conducted consistent with the Agency's Overview Document². Effects determinations for this assessment are summarized below:

- A No Effect (NE) determination on the CRLF and a decision of no modification of its designated critical habitat was made for uses prohibited in California because exposure would not occur. These uses include: cotton, hybrid poplar, parsley, parsley grown for seed, potato, winter wheat, and post harvest and fallow ground.
- A "May affect, likely to adversely affect" (LAA) determination was made for linuron exposure to the CRLF based on direct and indirect effects to the aquatic- and terrestrial-phase CRLF for the following uses: asparagus, carrot, celery, field corn, parsnip, sorghum, kenaf, non-agricultural rights-of-way, fence lines and hedge rows, marigold grown for seed, and ornamental flowers grown from bulb.
- There is the potential for modification of CRLF designated critical habitat from the use of the chemical on the uses in the preceding bullet.

¹ Settlement agreement of October 20, 2006: Center for Biological Diversity v. United States Environmental Protection Agency. Civ. No: 02-1580-JSW(JL)).

² Overview of the Ecological Risk Assessment: Process in the Office of Pesticide Programs, U.S. Environmental Protection Agency: Endangered and Threatened Species Effects Determinations: January 23, 2004.

As required by the Alternative Consultation Agreement EPA entered into with the U.S. Fish and Wildlife Service and National Marine Fisheries Service (Services), I have been trained by the Services to make such determinations. Additionally, this assessment was subjected to internal Agency peer review throughout its development. The review panel included Dr. Melissa Panger who has been trained by the Services to make such determinations.

Please let me know if you have any questions regarding this assessment and effects determination for linuron relative to the CRLF and its designated critical habitat.

cc: Steven Bradbury
Debbie Edwards

Attachments